REMARKS

Applicant has amended claims 1, 8, and 17. Thus, claims 1-20 are presented for examination. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to Examiner's comment regarding priority:

Applicant has amended the specification to claim priority as a continuation of International Application No. PCT/EP02/05314, filed May 14, 2002. Therefore, Applicant respectfully requests Examiner to acknowledge appropriate priority as a continuation of Application No. PCT/EP02/05314. Applicant has requested a certified copy of the priority document and will submit such to the Examiner upon its receipt.

Response to rejections under Section 112

Claims 1-7, 9-16, and 18-20 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, Examiner contends that the claims contain the subject matter of blocking members configured to cause a recirculation zone to develop toward and outer periphery of the outlet which was not described in the specification. Applicant has amended claim 1 to remove this matter.

Claim 8 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claim 8 to correct the improper antecedent basis of the claim. Therefore, Applicant respectfully requests Examiner to remove rejections under Section 112, first and second paragraph.

Response to rejections under Section 102

Rejection as anticipated being anticipated by Becker (US 6,152,724):

Claims 1-3, 7, and 9-17 stand rejected under 35 U.S.C. § 102(b), the Examiner contending that these claims are anticipated by Becker (US 6,152,724).

Becker teaches that to achieve a homogeneous air/fuel mixture and to compensate for the affected portion of the air flow, small nozzles are provided for feeding the fuel to the slowed down portion of the flow and sized in such a way that a largely homogeneous distribution of the fuel in the flow is achieved (see e.g. column 5 lines 55-65).

Applicant submits that the largely homogeneous area disclosed in Becker teaches a profile that is essentially homogeneous (Becker appreciating that perfect homogeneity is unachievable). In contrast, Applicant teaches a profile that is intentionally non-homogeneous toward the burner wall, and such location specific non-homogeneity created by the air blocking members.

In more detail, referring to Figure 1 of Applicant's specification, the region to the right of bottom centerline 7 is exemplary of a largely homogeneous region (the flat portion of the profile) while region 23 to the left of centerline 7 near the combustor wall illustrates both the non-homogeneity claimed by applicant (curved profile region near burner wall) and largely homogeneous portion of the profile between the location specific non-homogeneous region 23 and the centerline 7.

Rejection as anticipated being anticipated by Poeschl et al. (US 6,189,320):

Claims 1-3, 7, and 9-13, 15, and 17 stand rejected under 35 U.S.C. § 102(b), the Examiner contending that these claims are anticipated by Poeschl et al. (US 6,189,320).

Examiner contends that Poeschl also discloses a largely homogeneous region thus implying local areas of non-homogeneous fuel/air mixture. Applicant submits that the largely homogeneous area disclosed in Poeschl, like Becker, teaches a profile that is essentially homogeneous (Posechl, like Becker, appreciating that perfect homogeneity is unachievable). In contrast, Applicant teaches a profile that is intentionally non-homogeneous toward the burner wall, and such location specific non-homogeneity created by the air blocking members.

In view of the remarks, Applicant respectfully submits that Becker and Poeschl do not suggest the claimed invention. Reconsideration and withdrawal of the Section 102 rejection is respectfully requested.

Response to rejections under Section 103:

Claims 1-3, and 7-20 stand rejected under 35 U.S.C. § 103(a), the Examiner contending that these claims are unpatentable over Becker (US 6,152,724) in view of Becker (US 5,451,160); claims 1-3 and 7-20 stand rejected under 35 U.S.C. § 103(a), the Examiner contending that these claims are unpatentable over Poeschl et al. (US 6,189,320) Becker (US 6,152,724) in view of Becker (US 5,451,160); and claims 4-6 stand rejected under 35 U.S.C. § 103(a), the Examiner contending that these claims are unpatentable over Becker (US 6,152,724) in view either Zappa (US 4,762,487) or Gutmark et al. (US 6,196,835). of what is obvious to one skilled in the art.

Becker teaches an air flow delayer 13 for delaying a portion of the flow which causes a lower flow velocity to prevail behind the air flow delayer (see e.g. column 2 lines 55-65). Poeschl teaches improved spatial homogeneity of the fuel/air mixture achieved by mixing fuel and air in a turbulent flow (see e.g. column 3 lines 1-5).

In contrast, Applicant's claimed invention specifically teaches the use of blocking members for blocking a portion of the flow at the inlet which leads to a reduction of the amount of air to areas of the outlet associated with the blocking members (see e.g. Applicant's specification page 10 line 31 and page 11 lines 1-2). The result is a desired locally enriched fuel mixture (location specific non-homogeneity) and due to the enriched mixture of fuel in area a higher burning temperature is obtained downstream and has a stabilizing effect on the premixing flame and completely suppresses, or at least significantly suppresses the formation of combustion vibrations (see e.g. Applicant's specification page lines 5-19). Neither Becker nor Poeschl teach or suggest using blocking members to create a local area of non-homogeneity located near the burner wall of the combustor.

In view of the remarks in connection with the Section 102 rejection regarding the non-homogeneous , Applicant respectfully submits that Becker, alone or in combination, does not teach or suggest the claimed invention. Reconsideration and withdrawal of the Section 103 rejection is respectfully requested.

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Conclusion

For the foregoing reasons, it is respectfully submitted that the objections and rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, Applicant respectfully requests that the Examiner reconsider the objections and rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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